

Court of Appeals, State of Michigan

ORDER

Four Star Construction Co v Township of Richfield

Docket No. 285771

LC No. 08-087981-CK

Mark J. Cavanagh
Presiding Judge

Pat M. Donofrio

Deborah A. Servitto
Judges

Pursuant to MCR 7.205(D)(2), the Court orders that the Genesee Circuit Court's March 12, 2008, order granting plaintiff's motion for preliminary restraining order is REVERSED because plaintiff failed to show a likelihood that it would prevail on its merits. MCR 3.310(A)(4); *Pharmaceutical Research & Mfgs v Dept of Community Health*, 254 Mich App 397, 402-403; 657 NW2d 162 (2002). The fact that the equipment seized by the township treasurer may be exempt from taxation under MCL 211.9 does not render it exempt from seizure under MCL 211.47(1), which expressly states that "no property is exempt" from being seized and sold for payment of unpaid personal property taxes.

The Court retains no further jurisdiction.



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

Date

Sandra Schultz Mengel
Chief Clerk